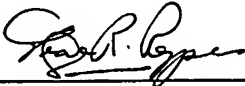| FORM PTO-1390	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

Attorney's Docket No.

2697-120

U.S. Application No. (if known)

10/553317

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US04/012663	23 April 2004	23 April 2003

TITLE OF INVENTION
TREATMENT OR PREVENTION OF RESPIRATORY VIRAL INFECTIONS WITH ALPHA THYMOSIN PEPTIDES

APPLICANT(S) FOR DO/EO/US
Alfred R. RUDOLPH, Cynthia W. TUTHILL

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. [X] This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371

2. [ ] This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. [ ] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. [ ] The US has been elected (Article 31).

5. [X] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    a. [ ] is attached hereto (required only if not communicated by the International Bureau).
    b. [ ] has been communicated by the International Bureau.
    c. [X] is not required, as the application was filed in the United States Receiving Office (RO/US)

6. [ ] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
    a. [ ] is attached hereto.
    b. [ ] has been previously submitted under 35 U.S.C. 154(d)(4).

7. [ ] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    a. [ ] are attached hereto (required only if not communicated by the International Bureau).
    b. [ ] have been communicated by the International Bureau.
    c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.
    d. [ ] have not been made and will not be made.

8. [ ] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. [ ] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. [ ] An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 20. below concern other document(s) or information included:

11. [ ] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. [ ] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. [X] A preliminary amendment.
14. [X] An Application Data Sheet under 37 CFR 1.76.
15. [ ] A substitute specification.
16. [ ] A power of attorney and/or change of address letter.
17. [ ] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. [ ] A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. [ ] A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

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20. ☐ Other items or information:

[ ] RO/101 [ ] RO/105 [ ] ISA/210(ISR) [ ] IB/301 [ ] IB/304 [ ] IB/308 [ ] IB 401 [ ] IB/409(IPER)
[ ] IB/416 [ ] Published Application WO/

	CALCULATIONS	PTO USE ONLY
21. The following fees are submitted:		
☒ Basic National Fee $300.00	$ 300.00	
22. ☐ Examination Fee If the written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)............................ $0 All other situations $200.00	$	
23. ☐ Search Fee If the written opinion of the ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .... $0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority ... . $100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB............... $400.00 All other situations.. $500.00	$	
TOTAL OF 21, 22 AND 23 =	$300.00	

☐ Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is $250.00 for each additional 50 sheets of paper or fraction thereof.				$

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate		
- 100 =	/ 50 =		x 250	$	

Surcharge of $130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).	$	

Claims	Number Filed	Number Extra	Rate		
Total Claims	19 -20 =		X $50.00	$	
Independent Claims	1 - 3 =		X $200.00	$	
Multiple dependent claim(s) (if applicable)			+ $360.00	$	

TOTAL OF ABOVE CALCULATIONS =	$300.00	
☒ Applicant claims small entity status. The fees indicated above are reduced by 1/2.	$150.00	
SUBTOTAL =	$150.00	

Processing fee of $130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +	$	
TOTAL NATIONAL FEE =	$150.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). $40.00 per property +	$	
TOTAL FEES ENCLOSED =	$	

	Amount to be refunded	$
	Amount to be charged	$150.00

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a. ☐ A check in the amount of $_____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 02-2135 in the amount of **$150.00** to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 06449

Rothwell, Figg, Ernst & Manbeck
1425 K St., N.W.
Washington, D.C. 20005
Phone: 202/783-6040

_____
Signature

George R. Repper_____
Name

31,414_____
Registration Number

2697-120-1390.wpd